

Daniel Callahan

“Physician Assisted Dying: Self-Determination Run Amok”

Callahan objects to four arguments in favor of Euthanasia

- 1. The moral claim of individual self-determination and well-being.**
- 2. The moral irrelevance of the difference between killing and allowing to die**
- 3. The supposed paucity of evidence to show likely harmful consequences of legalized euthanasia**
- 4. The compatibility of euthanasia and medical practice**

Self-determination

Problem 1

- “I have yet to hear a plausible argument why it should be permissible for us to put this kind of power in the hands of another, whether a doctor or anyone else. The idea that we can waive our right to life, and then give to another the power to take that life, requires a justification yet to be provided by anyone.” (75)**
- E.g., Slavery “it is a fundamental moral wrong for a person to give over his life and fate to another, whatever the good consequences, and no less wrong for another person to have that kind of total, final power.”**
 - E.g., Dueling “even free, competent individuals should not have the power to kill each other, whatever their motives, whatever the circumstances.**

Self-determination

Problem 2

Doctors are moral agents and need their own moral grounds to kill those who request euthanasia.

E.g., “Three people can have the same condition, but only one will find the suffering unbearable.... Inevitably in that circumstance, the doctor will en effect be treating the patient’s values. To be responsible, the doctor would have to share those values.... The doctor would have to decide, on her own, whether the patient’s life was “no longer worth living.”

“Euthanasia is not a private matter of self-determination. It is an act that requires two people to make it possible, and a complicit society to make it acceptable.”

Killing and Allowing to die

We have to maintain the Killing/allowing to die distinction.

Difference between *causality* and *culpability*

- **Causality:** the direct physical causes of death
- **Culpability:** Our attribution of moral responsibility to human actions.

So what?

- **Omissions** are not the *cause* of death; diseases cause death. The doctor doesn't *cause* the death.
- **Lethal injection** kills both healthy and ill; the doctor does something and thus responsible.

Calculating the consequences

Three consequences seems certain

- 1. Inevitability of some abuse of the law**
 - Evidence from the Netherlands
- 2. Difficulty of precisely writing, and then enforcing the law**
 - “unbearable suffering” difficult to get precisely
 - Doctor/patient confidentiality make enforcement difficult, which makes enforcing law difficult
- 3. The inherent slipperiness of the moral reasons for legalizing euthanasia.**
 - E.g., consider X is suffering and mentally retarded. Standard argument would deny euthanasia, but why? Isn't it unfair that the less entitled will not have access to relief solely on grounds of competence?

Euthanasia and medical practice

“Apart from depression (the main statistical cause of suicide), people commit suicide because they find life empty, oppressive, or meaningless. Their judgment is a judgment about the value of continued life, not only about health. Are doctors now to be given the right to make judgments about the kinds of life worth living and to give their blessing to suicide for those they judge wanting?” (79)

“The great temptation of modern medicine, not always resisted, is to move beyond the promotion and preservation of health into the boundless realm of general human happiness and well-being....It is not medicine’s place to determine when lives are not worth living or when the burden of life is too great to be borne. Doctors have no conceivable way of evaluating such claims on the part of patients, and they should have no right to act in response to them.” 79